

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1447 be amended to read as follows:

1 Page 9, between lines 15 and 16, begin a new paragraph and insert:
2 "SECTION 13. IC 6-1.1-12-2, AS AMENDED BY P.L.144-2008,
3 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4 JULY 1, 2009]: Sec. 2. (a) Except as provided in section 17.8 of this
5 chapter and subject to section 45 of this chapter, a person who desires
6 to claim the deduction provided by section 1 of this chapter must file
7 a statement in duplicate, on forms prescribed by the department of local
8 government finance, with the auditor of the county in which the real
9 property, mobile home not assessed as real property, or manufactured
10 home not assessed as real property is located. With respect to real
11 property, the statement must be filed **during before January 10 of the**
12 **year that immediately succeeds** the year for which the person wishes
13 to obtain the deduction. With respect to a mobile home that is not
14 assessed as real property or a manufactured home that is not assessed
15 as real property, the statement must be filed during the twelve (12)
16 months before March 31 of each year for which the individual wishes
17 to obtain the deduction. The statement may be filed in person or by
18 mail. If mailed, the mailing must be postmarked on or before the last
19 day for filing. In addition to the statement required by this subsection,
20 a contract buyer who desires to claim the deduction must submit a copy
21 of the recorded contract or recorded memorandum of the contract,
22 which must contain a legal description sufficient to meet the
23 requirements of IC 6-1.1-5, with the first statement that the buyer files
24 under this section with respect to a particular parcel of real property.

1 Upon receipt of the statement and the recorded contract or recorded
 2 memorandum of the contract, the county auditor shall assign a separate
 3 description and identification number to the parcel of real property
 4 being sold under the contract.

5 (b) The statement referred to in subsection (a) must be verified
 6 under penalties for perjury, and the statement must contain the
 7 following information:

8 (1) The balance of the person's mortgage or contract indebtedness
 9 on the assessment date of the year for which the deduction is
 10 claimed.

11 (2) The assessed value of the real property, mobile home, or
 12 manufactured home.

13 (3) The full name and complete residence address of the person
 14 and of the mortgagee or contract seller.

15 (4) The name and residence of any assignee or bona fide owner or
 16 holder of the mortgage or contract, if known, and if not known,
 17 the person shall state that fact.

18 (5) The record number and page where the mortgage, contract, or
 19 memorandum of the contract is recorded.

20 (6) A brief description of the real property, mobile home, or
 21 manufactured home which is encumbered by the mortgage or sold
 22 under the contract.

23 (7) If the person is not the sole legal or equitable owner of the real
 24 property, mobile home, or manufactured home, the exact share of
 25 the person's interest in it.

26 (8) The name of any other county in which the person has applied
 27 for a deduction under this section and the amount of deduction
 28 claimed in that application.

29 (c) The authority for signing a deduction application filed under this
 30 section may not be delegated by the real property, mobile home, or
 31 manufactured home owner or contract buyer to any person except upon
 32 an executed power of attorney. The power of attorney may be contained
 33 in the recorded mortgage, contract, or memorandum of the contract, or
 34 in a separate instrument."

35 Page 18, line 19, strike "on or before December 31 of" and insert
 36 "**during**".

37 Page 18, line 19, after "year" insert "**or before January 10 of the**
 38 **immediately succeeding calendar year (beginning in 2010)**".

39 Page 18, line 32, strike "calendar year that".

- 1 Page 18, line 32, strike "succeeds".
- 2 Page 18, line 33, strike "the" and insert "**succeeding**".
- 3 Renumber all SECTIONS consecutively.
(Reference is to HB 1447 as printed February 20, 2009.)

Representative Clere